

# Notice of Allowability

Application No.

09/580,909

Examiner

Than Nguyen

Applicant(s)

TAGAWA ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/7/04.
2. ☒ The allowed claim(s) is/are 24-33.
3. ☒ The drawings filed on 6/3/04 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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**DETAILED ACTION**

1. This is a response to the amendment, filed 6/7/04.
2. Claims 24-33 are pending. Claims 1-23 have been canceled.

In response to the amendment to the title, as suggested by the Examiner, the previous objection to the title is withdrawn.

***Allowable Subject Matter***

3. Claims 24-33 are allowed.
4. The following is an examiner's statement of reasons for allowance:
5. As to claim 24, the prior art of record does not teach nor suggest a semiconductor memory card. The prior art of record does not teach nor suggest resume information including a type 1 resume position set according to a user operation, and including, using time information, a type 2 resume position that was automatically set when playback of the audio sequence last stopped; and a plurality of pieces of entry information, each of which is respectively associated with a different audio object, each piece of entry information showing at least one entry position in the respectively associated audio object, adjacent entry positions being separated by an interval equivalent to y seconds, wherein each audio object includes a plurality of audio frames, each audio frame has a reproduction time of x seconds and comprises a header part and a data part, the data part having been compressed by a variable-length encoding method, and the y seconds are not less than twice the x seconds.
6. Claims 25-27 are also allowable for incorporating the limitations of claim 24, and further limitations.

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7. As to claim 28, the prior art of record does not teach the claimed memory card. More specifically the prior art does not suggest a playback unit operable to play back the specified audio object when the receiving unit has received the first playback operation, and read the resume information from the semiconductor memory card and play back the audio sequence starting from the resume position shown by the resume information when the receiving unit has received the second playback operation, wherein the playback unit, when resuming a playback from an audio object, (a) detects, when the audio object has a plurality of entry positions, an entry position that is before and closest to the resume position, and (b) detects an audio frame corresponding to the resume position by referring to header parts of audio objects after the detected entry position.

8. Claim 29 is also allowable for incorporating the limitations of claim 28, and further limitations.

9. As to claim 30, the prior art does not teach the playback apparatus wherein a recording unit operable to specify, when the received operation is a stop operation, a resume position based on a playback time corresponding to a playback position where the user made the stop operation, the resume position showing where playback of the audio sequence should be resumed, and record resume information including the resume position onto the semiconductor memory card.

10. As to claim 31, the prior art of record does not teach the claimed playback method wherein a playback operation of playing back the specified audio object when the receiving step operation has received the first playback operation, and reading the resume information from the semiconductor memory card and playing back the audio sequence starting from the resume

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position shown by the resume information when the receiving operation has received the second playback operation.

11. Claim 32 is also allowable for incorporating the limitations of claim 31, and further limitations.

12. As to claim 33, the prior art of record does not teach recording method for a semiconductor memory card, the recording method comprising: receiving an operation made by a user; playing back audio objects included in an audio sequence when the received operation is a playback operation; and specifying, when the received operation is a stop operation, a resume position based on a playback time corresponding to a playback position where the user made the stop operation, the resume position showing where playback of the audio sequence should be resumed, and recording resume information including the resume position onto the semiconductor memory card.

13. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Than Nguyen whose telephone number is 703-305-3866. The examiner can normally be reached on 8am-3pm M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on 308-1756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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